

P.O. Box 747
Falls Church, Virginia 22040-0747
Phone: (703) 205-8000
Fax: (703) 205-8050
(703) 698-8590 (GIV)

JUN 23 2006**Birch, Stewart, Kolasch & Birch, LLP**

Fax

To: **USPTO** From: **Charles Gorenstein, #29,271**

Fax: **(571) 273-8300** Pages: **8 (including cover sheet)**

Application No(s): **10/549,697** Our Ref(s): **1247-0538PUS1**

Subject: **Request for a Corrected Official Filing Receipt**

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (703) 205-8000, and send the original transmission to us by return mail at the address above.

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United
States Patent and Trademark Office

on June 23, 2006


Signature

Laura Updike
Printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

RECEIVED
CENTRAL FAX CENTER

JUN 23 2006

PATENT
1247-0538PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): KIMURA, Takahiko et al. Conf.: 9554
Appl. No.: 10/549,697 Group:
Filed: September 19, 2005 Examiner:
For: REMAINING AMOUNT OF TONER DETECTING
APPARATUS, TONER CARTRIDGE AND IMAGE
FORMING APPARATUS

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 23 2006

Sir:

Attached hereto is the Official Filing Receipt in connection
with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

TITLE:

Change from: "Toner remainder detecting device, toner
cartridge and image forming device"

Change to: --Remaining amount of toner detecting apparatus,
toner cartridge and image forming apparatus--

It is respectfully requested that the U.S. Patent and
Trademark Office forward/issue a new Filing Receipt with the
correction(s) indicated above. Support for the correction(s) is
readily apparent on the enclosed photocopy of the Declaration and
Power of Attorney document.

Appl. No. 10/549,697

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
CHARLES GORENSTEIN, #29,271

CG/leu
1247-0538PUS1

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/549,697	09/19/2005	2852	1710	1247-0538PUS1	18	17	4

CONFIRMATION NO. 9554

02292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

FILING RECEIPT

OC000000018794569

COPY

Date Mailed: 05/25/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Takahiko Kimura, Ikoma-shi, JAPAN;
Takeshi Wakabayashi, Soraku-gun, JAPAN;
Teruyoshi Sudoh, Yamatokoriyama-shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number **02292**.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/03685 03/18/2004

Foreign Applications

JAPAN 2003-076150 03/19/2003

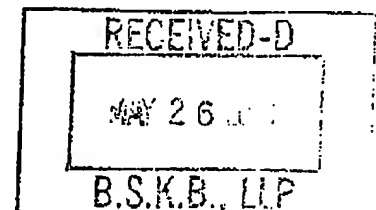
Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

Title

~~Toner remainder detecting device, toner cartridge and image forming device~~
→ ★ Remaining amount of toner detecting apparatus, toner cartridge
Preliminary Class and image forming apparatus ★ ←



399

COPY

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the

COPY

national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, or other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

BIRCH, JEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

ATTORNEY DOCKET NO.
1247-0538PUS1PLEASE NOTE
YOU MUST
COMPLETE THE
FOLLOWING:

COPY

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

★ Insert Title:

REMAINING AMOUNT OF TONER DETECTING APPARATUS, TONER CARTRIDGE
AND IMAGE FORMING APPARATUS

the specifications of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate
Information -
For Use
Without
Specification
Attached:

the specification was filed on _____ as
United States Application Number _____
and amended on _____;
the specification was filed on March 18, 2004 (if applicable); and/or
International Application Number PCT/JP2004/003685 as PCT
amended on _____; and was
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority
Information:
(if appropriate)

Prior Foreign Application(s)

(Number)	(Country)	(Month / Day / Year Filed)	Priority Claimed
<u>2003-076150</u>	<u>Japan</u>	<u>March 19, 2003</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No
____	____	____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Insert Provisional
Application(s):
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
____	____
____	____

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed more than 12 months (6 months for designs) Prior to the Filing Date of this Application:

Insert Requested
Information:
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
____	____	____
____	____	____

Insert Prior U.S.
Application(s):
(if any)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
____	____	____

COPY

62069/04K0240/01 3
ATTORNEY DOCKET NO. 1247-0538PUS1

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 02292

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING; ↓

Full Name of First or
Sole Inventor:
Insert Name of Inventor
Insert Date This
Document is Signed

Insert Residence
Insert Citizenship

Insert Mailing
Address

Full Name of Second
Inventor, if any:

see above

Full Name of Third
Inventor, if any

see above

Full Name of Fourth
Inventor, if any

see above

Full Name of Fifth
Inventor, if any

see above

pg 2 of 2
revised 01/02)

GIVEN NAME Takahiko	FAMILY NAME KIMURA	INVENTOR'S SIGNATURE <i>Takahiko Kimura</i>	DATE* September 6, 2005
Residence (City, State & Country) Ikoma-shi, Nara, Japan		CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) 26-34-404, Yamasaki-cho, Ikoma-shi, Nara, Japan			
GIVEN NAME Takeshi	FAMILY NAME WAKABAYASHI	INVENTOR'S SIGNATURE <i>Takeshi Wakabayashi</i>	DATE* September 6, 2005
Residence (City, State & Country) Soraku-gun, Kyoto, Japan		CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) 6-2-1-6-404, Kizuqawadai, Kizu-cho, Soraku-gun, Kyoto, Japan			
GIVEN NAME Teruyoshi	FAMILY NAME SUDOH	INVENTOR'S SIGNATURE <i>Teruyoshi Sudo</i>	DATE* September 6, 2005
Residence (City, State & Country) Yamatokoriyama-shi, Nara, Japan		CITIZENSHIP Japanese	
MAILING ADDRESS (Complete Street Address including City, State & Country) 492, Minoshio-cho, Yamatokoriyama-shi, Nara, Japan			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)			

* DATE OF SIGNATURE